

FIFTEENTH DAY

Senate Chamber,
Austin, Texas,
October 2, 1931.

The Senate met at 9:15 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following senators answering to their names:

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

Prayer by the Rev. A. W. Jones of Llano.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Rawlings:

S. B. No. 54, A bill to be entitled "An Act to prohibit the taking and catching of fish in Eagle Mountain Lake and Bridgeport Lake, located in Tarrant, Wise and Jack Counties, for period until December 31, 1933; providing penalties for violation and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, October 2, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 25, A bill to be entitled "An Act to amend Section 1 of Chapter 271, House Bill No. 358, General Laws of the Regular Session of the Forty-second Legislature, approved May 29, 1931, providing for the sale of lands belonging to the Public Free School Fund of the State of Texas, except islands, lakes and bays and other lands within tide water limits; amending Section 5 of said Act, giving preference right to holders in good faith of surveys of land to purchase the same; amending Section 8 of said Act, relating to the lease of all unsold public free school lands, and declaring an emergency."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, October 2, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 38, Authorizing the Enrolling Clerk of the House to correct the caption to H. B. No. 59.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, October 2, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on Senate Bill No. 25. The following are conferees on the part of the House:

Hubbard, Petsch, Beck, Nicholson, and Young.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Conference Committee Requested.

Senator Purl moved not to concur in House amendments to S. B. No. 25, but ask for the appointment of a conference committee. The motion prevailed.

The Chair appointed the following on the part of the Senate:

Senators Purl, Rawlings, Neal, Woodul, and Woodward.

Simple Resolution No. 32.

Senator Cousins sent up the following resolution:

Whereas, The Honorable R. S. Sterling, Governor of Texas, is freely quoted in the public press of Tuesday, September 29th, saying:

"It has come to me from various parts of the State that the oil lobby has kept the Legislature from passing the river bed bill. I am not making the accusations, but others are."

And Honorable Joe M. Moore, State Senator is quoted as saying:

"You ought to have seen the side lines." and

Whereas, The inference necessarily to be drawn by these quotations is that a lobby representing the oil industry was conspicuously active in opposing the bill referred to as the river bed bill, and that said oil interests, through their representatives had the effect of preventing the passage of said bill; and

Whereas, This inference is wholly unfounded with the facts in regard to the Senate's consideration of said bill, that no Senator opposing the bill has been asked to oppose it by any representatives of any of the oil industries or in any way or manner made known their opposition to it, directly or indirectly, in behalf of the oil industry of the State of Texas; and

Whereas, The oil industry stands second only to the agricultural industry of Texas, and is directly supporting more citizens of Texas than any other industry except the agricultural industry, and is contributing a far greater proportion of the State's revenue than any other industry, and being the principal factor in the growth and welfare of many of our cities and towns and of the State in general; and

Whereas, Said industry is now contributing \$11,946,000.00 directly for the support and maintenance of

the State Government, and is acting as an agent and collecting for the State Government, \$32,221,623.00, one-fourth of which goes to the school fund, and three-fourths goes to the highway fund, to build highways for the benefit, pleasure and enjoyment of the people of Texas; and

Whereas, This great industry is now struggling for life against unfavorable economic conditions like all other industries and trades are encountering, and is at the same time under official investigation to determine whether or not they are violating any law of the State of Texas and are being subjected to incessant criticism from numerous sources and have been and are now being made the football of Texas politics; and

Whereas, At this time the industry is particularly susceptible to injury by loose statements tending to stir up prejudice against said industry, and said injury, because of the great number of Texas citizens who are directly and indirectly interested in the progress of said industry could be substantially effected by said statements, and the general welfare of the State and its revenue can be affected; therefore

Be It Resolved by the Senate of Texas, That the Senate disapproves such statements made in the public press and that said statements are contrary to the facts and that any and all statements or intimations that an oil lobby representing the oil interests of Texas has in any way prevented or attempted to prevent the Senate of Texas from passing the river bed bill prior to September 29, 1931 (on which date the bill was passed); nor did said representatives of the oil companies in any way attempt to influence the Senate in any manner; and

Be It Resolved, That this body deplore the use of such language by men in high office which tends to create an unfounded impression that the oil lobby of Texas has restrained the Senate or sought to restrain it from performing a public duty, or that members of the Senate of Texas are sought to be influenced by said oil lobby in any manner; that said statements are not only unfair and unjust, both to the Senate as a representative body of the State, but to the oil industry of Texas, whose

welfare and good name is a matter of concern to the many laborers of Texas who are dependent on said industry for livelihood; and

Be It Resolved, That Texas has the greatest coast line of any State of the Union and the possibilities of manufacture are great in the State of Texas; and that if we had more manufacturers it would lift the burden from the shoulders of agriculture, giving us labor for our citizenship and making the State still more prosperous and progressive; that we here now go on record as being friendly to all legitimate businesses that will come to Texas or be organized in Texas for the purpose of developing industries in Texas; and hope that men of prominence and high position will not make expressions that have been made against industries of Texas that are doing their part in developing the State and bearing their part of the expense in the maintenance and development of the State, unless there is foundation for same.

COUSINS.

The resolution was read.

Senator Holbrook raised the point of order that this resolution was a love letter to the oil companies and should have no place in the Senate records.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Purl raised the point of order that this resolution should come under the head of personal privilege and the Senate should not be asked to endorse it.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Rawlings raised the point of order that the hour had arrived for the Senate to resolve itself into a court of impeachment.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

Court of Impeachment.

On motion of Senator Rawlings, the Senate, at 10:50 o'clock a. m., resolved itself into a high court of impeachment to hear charges against Hon. J. B. Price, Judge of the Twenty-first Judicial District of Texas. (See supplement to Journal for proceedings.)

In Session.

The Senate was called to order at 11:56 o'clock by Lieutenant Governor Edgar E. Witt.

H. C. R. No. 38.

The Chair laid before the Senate: H. C. R. No. 38, Authorizing correction of H. B. No. 59.

Read and adopted.

Simple Resolution No. 30.

Senator Loy sent up the following resolution:

Whereas, On the 1st day of October, 1931, the Almighty in his infinite wisdom had called to his eternal reward the father of one of our most loyal and capable employees, Mr. Lee McDougal, custodian of the records of the Senate; and,

Whereas, In the passing of Mr. McDougal, his family and the State in which he has lived so long and served so faithfully has suffered a great loss; be it

Resolved out of respect to Mr. Lee McDougal that the Sergeant-at-Arms be requested to send flowers and a copy of this resolution to Mr. Lee McDougal.

LOY.

PARRISH.

Read and adopted.

Recess.

On motion of Senator Moore, the Senate, at 11:58 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Simple Resolution No. 32.

The question recurred upon S. R. No. 32.

At 2:30 o'clock p. m., Senator Rawlings raised the point of order that the hour for the resumption of the trial of Judge J. B. Price had arrived.

The Chair sustained the point of order.

On motion of Senator DeBerry, the trial was postponed for ten minutes.

Senator Woodruff moved the previous question on the further consideration of the resolution. The

motion was lost by the following vote:

Yeas—9.

Gainer.	Poage.
Holbrook.	Rawlings.
Hornsby.	Woodruff.
Loy.	Woodward.
Oneal.	

Nays—13.

Beck.	Patton.
Cousins.	Pollard.
Cunningham.	Purl.
Hardin.	Stevenson.
Hopkins.	Thomason.
Moore.	Woodul.
Parr.	

Present—Not Voting.

DeBerry.	Williamson.
----------	-------------

Absent.

Greer.	Parrish.
Martin.	Russek.
Neal.	Small.

Absent—Excused.

Berkeley.

Senator Pollard moved to postpone the trial further until final disposition of this resolution.

Senator Woodward moved as a substitute to postpone the trial for five minutes. The substitute motion prevailed.

Senator Pollard moved to table the resolution. The motion prevailed by the following vote:

Yeas—21.

Beck.	Parr.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Loy.	Woodul.
Moore.	Woodward.
Oneal.	

Nays—3.

Cousins.	Thomason.
Stevenson.	

Present—Not Voting.

Neal.

Absent.

Greer.	Russek.
Martin.	Small.
Parrish.	

Absent—Excused.

Berkeley.

Court of Impeachment.

On motion of Senator Rawlings, the Senate, at 2:50 o'clock p. m., resolved itself into a high court of impeachment to hear charges against J. B. Price, Judge of the Twenty-first Judicial District of Texas.

(See supplement to Journal for proceedings.)

In Session.

The Senate was called to order at 4:26 o'clock p. m., by Lieutenant Governor Edgar E. Witt.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bill and resolution:

H. B. No. 59.

H. C. R. No. 38.

House Bills Referred.

H. B. No. 91, referred to Committee on Civil Jurisprudence.

S. C. R. No. 17.

Senator Moore sent up the following resolution:

Be It Resolved, by the Senate, the House of Representatives concurring, That Joint Rule No. 11, be and the same is hereby suspended.

MOORE.

Read and lost by the following vote:

Yeas—16.

Cunningham.	Oneal.
DeBerry.	Poage.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hornsby.	Woodruff.
Loy.	Woodul.
Moore.	Woodward.

Nays—9.

Cousins.	Russek.
Neal.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Pollard.	

Present—Not Voting.

Greer.

Absent.

Beck.	Martin.
Hopkins.	Parr.

Absent—Excused.

Berkeley.

(Two-thirds vote required.)

House Bill No. 84.

Senator Woodul called up from the table the following bill:

H. B. No. 84, A bill to be entitled "An Act to amend Article 619, Penal Code of 1925, relating to keeping a gaming table or bank so as to omit reference therein to slot machines, and making it a misdemeanor to keep or exhibit any slot or vending machine for the purpose of gaming, and defining the same; prescribing penalties for a violation thereof; declaring the existence of any slot or vending machine to be against public policy and a public nuisance; declaring the existence of any lottery or raffle to be against public policy and a public nuisance; providing for the seizure and destruction as a nuisance of any slot or vending machine, or any lottery or raffle; and declaring an emergency."

The bill failed to pass to third reading by the following vote:

Yeas—7.

Beck.	Stevenson.
Cousins.	Williamson.
Patton.	Woodul.
Russek.	

Nays—22.

Cunningham.	Oneal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Small.
Loy.	Thomason.
Moore.	Woodruff.
Neal.	Woodward.

Absent.

Martin.

Absent—Excused.

Berkeley.

House Bill No. 45.

Senator Thomason called up from the table the following bill:

H. B. No. 45, A bill to be entitled "An Act to validate the organization and creation of all school districts including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law, or county boards of trustees, validating the acts of said county boards of trustees and boards of such districts, validating all proceedings and acts of said boards of trustees, heretofore taken by such boards of trustees; validating all bonds, voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

Senator Small sent up the following amendment to the pending amendment:

Amend the amendment by adding after the word "creation" in line two the following: "Or tax levy or assessment."

SMALL.

Read and adopted.

The amendment as amended was adopted.

Senator Thomason sent up the following amendment:

Amend caption to conform to all amendments.

THOMASON.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 45 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

Personal Privilege.

At the outset of the session Senator Purl sought to impugn my motives without justification. He stated that I had sought membership on the oil bill conference committee. That was untrue. My name was presented to the Lieutenant Governor with the idea of bringing a man into the conference committee who had not been active on the floor. It happened that the discussion of the subject came up at a period when Governor Witt was present and I expressed my views. The Lieutenant Governor did not see fit to appoint me and I think he was wise in not doing so for the reason that the conference report was well

devised and went through the Legislature without serious opposition.

Senator Purl called attention to the point that during some discussion of the truck bill I said that I believed in leadership in parliamentary matters and stated that I would follow the leadership through "hell and high water." The occasion for this was that I had introduced a substitute bill merely for the purpose of protection in case the other bills advocated by Senator Woodul failed.

It is well established that most parliamentary bodies are governed by leadership—that is true in the Federal Congress where our own John Garner is the leader of the Democracy—where Nick Longworth (now deceased) was the Republican leader and was a patriot and a competent leader. In the Senate, Senator Robinson of Arkansas is the Democratic leader. I am inclined to think that Senator Moses is the Republican leader, but I am not quite sure. In the parliament of England, Mr. MacDonald probably saved the finances of the Kingdom by sacrificing his labor leadership and forming a coalition government. Mr. Baldwin is the conservative leader. Lloyd George is the leader of the Liberals and now Mr. Henderson is the leader of the labor forces. An exception to leadership in parliamentary bodies is in Italy where Mussolini permits no leadership. In Pennsylvania, where the Republicans are so strong, they divide among themselves and where in some of the Southern states, the Democrats divide among themselves for similar reasons.

Pardon me for suggesting that I believe that better parliamentary achievements are accomplished where there is party leadership and I therefore declare myself in favor of party leadership. I have no quarrel however, with those who differ with me. Senator Martin and Senator Poage differed with me in my position that I would follow the leadership of Senator Woodul through "hell and high water" on the truck bill, although I want it distinctly understood that I was in constant conference with him on the terms of the bill. Their positions were entirely fair because they occurred in parliamentary debate. Senator Purl's reference to the occurrence was not in the nature of a debate but for the

purpose of discrediting me, as was also his statement about me seeking a position on the conference committee in the oil controversy. I repeat that I did not seek that appointment, but if I had done so, it would not have been discreditable.

My reason for not bringing these matters to your attention earlier is that I thought the importance of the session was such that it would be improper to introduce purely personal matters.

STEVENSON.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Oct. 2, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 91, A bill to be entitled "An Act amending Article 1025, of Chapter 2, Title 15, Code of Criminal Procedure, fixing the fees paid by the State of district attorneys, criminal district attorneys, or county attorneys for representing the State in the district court in felony cases and in habeas corpus cases where the defendant is charged with a felony; repealing Article 1024, of Chapter 2, Title 15, Code of Criminal Procedure."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Reconsider.

Senator Neal asked unanimous consent to be recorded as voting "yea" instead of "nay" on the adoption of S. C. R. No. 17, which change of vote would change the result.

Objection was heard.

Senator Neal moved to reconsider the vote by which the resolution failed of adoption. The motion to reconsider prevailed by the following vote:

Yeas—21.

Beck.	Moore.
DeBerry.	Neal.
Gainer.	Oneal.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Poage.
Hornsby.	Pollard.
Loy.	Purl.

Rawlings.
Thomason.
Woodruff.

Woodul.
Woodward.

Nays—6.

Cousins.	Russek.
Hopkins.	Stevenson.
Patton.	Williamson.

Absent.

Cunningham.	Small.
Martin.	

Absent—Excused.

Berkeley.

The resolution was adopted by the following vote:

Yeas—20.

Beck.	Oneal.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hornsby.	Thomason.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nays—7.

Cousins.	Russek.
Hopkins.	Stevenson.
Parr.	Williamson.
Patton.	

Absent.

Cunningham.	Parrish.
Martin.	

Absent—Excused.

Berkeley.

House Bill No. 78.

Senator Loy called up from the table the following bill:

H. B. No. 78, A bill to be entitled "An Act to amend Section 14, Article 7047, of the Revised Civil Statutes of 1925, relating to and imposing an occupation tax on loan brokers and defining same and providing for certain exceptions and declaring an emergency."

Senator Greer sent up the following substitute for the pending committee amendment:

Strike out all after the enacting clause and insert the following:

Section 1. That Article 7047, Section 15, of the Revised Civil Statutes of Texas of 1925 be and the same is hereby amended, to read as follows:

Section 15: Money Lenders: Money Lenders as hereafter defined, an annual tax of one hundred dollars (\$100.00) for each place of business. A Money Lender, for the purpose of this section, is a person, firm or corporation, or agent or agents for, or anyone representing a person, or persons, firm or corporation, who regularly pursues the business of lending money with or without security, and charges or receives therefor a fee, brokerage or other charge of any kind whatsoever, provided, this tax shall not apply to persons, firms, associations or corporations who lend money on or incident to real estate nor shall this tax apply to banks or banking institutions and life insurance companies regularly organized as such.

Sec. 2. The fact that the present law relative to Money Lenders is ambiguous creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days, and said rule is accordingly hereby suspended; and this Act shall take effect and be in force from and after its passage.

GREER.

The substitute was read.

Senator Rawlings raised the point of order that the substitute applied to a different section of Article 7407 than the original bill.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Williamson moved to table the substitute. The motion was lost by the following vote:

Yeas—12.

Cunningham.	Poage.
DeBerry.	Purl.
Hardin.	Rawlings.
Loy.	Small.
Moore.	Williamson.
Oneal.	Woodruff.

Nays—13.

Beck.	Holbrook.
Cousins.	Hornsby.
Gainer.	Neal.
Greer.	Parr.

Patton.	Thomason.
Pollard.	Woodul.
Stevenson.	

Present—Not Voting.

Woodward.
Absent.

Hopkins.	Parrish.
Martin.	Russek.

Absent—Excused.

Berkeley.

The substitute was adopted.

The committee amendment as substituted was adopted.

Senator Poage sent up the following amendment:

Amend substitute to H. B. No. 78 by striking out the figures \$100.00 wherever they appear and insert in lieu thereof \$150.00.

LOY.
POAGE.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Loy the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 78 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

Read third time and finally passed.

Senate Bill No. 46.

The Chair laid before the Senate: S. B. No. 46 and substituted for it H. B. No. 91 on the same subject.

Senator Williamson raised the point of order that the bill had not been before a committee.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order, holding that a committee report had been filed, behind which the Chair could not go, and that the only recourse lay in re-committing the bill.

Senate Bill No. 54.

The Chair laid before the Senate the following bill:

By Senator Rawlings:

S. B. No. 54, A bill to be entitled "An Act to prohibit the taking and catching of fish in Eagle Mountain Lake and Bridgeport Lake, etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was unanimously suspended.

The committee report was adopted.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 54 was put on its second reading by the following vote:

Yeas—30.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

The bill was read second time and passed to engrossment.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 54 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Berkeley.

Senate Bill No. 48.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 48, A bill to be entitled "An Act amending Article 1020 of Chapter 2, Title 15, Code of Criminal Procedure, fixing the amount of fees to be paid by the State to county judges, justices of the peace, constables, sheriffs, district attorneys, criminal district attorneys and county attorneys, in examining courts; prescribing the conditions upon which said fees shall be paid; and declaring an emergency."

The committee amendment was adopted.

The bill was read second time.

Senator Purl sent up the following amendment:

Amend S. B. No. 48 by adding a new section to read as follows:

"Provided that no fees shall be allowed on justice of peace warrants when there is a grand jury in session in such courts."

PURL.

The amendment was read.

Senator Rawlings moved to table the amendment.

Recess.

On motion of Senator Pollard, the Senate, at 5:57 o'clock p. m., recessed until 9 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, October 2, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 54, A bill to be entitled "An Act to prohibit the taking of fish in Eagle Mountain Lake and Bridgeport Lake, located in Tarrant, Wise and Jack counties, for period until December 31, 1933; providing penalties for violation and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, October 1, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 91, A bill to be entitled "An Act amending Article 1025 of Chapter 2, Title 15, Code of Criminal Procedure, fixing the fees paid by the State to district attorneys, criminal district attorneys or county attorneys for representing the State

in the District Court in felony cases and in habeas corpus cases where the defendant is charged with a felony; repealing Article 1024, of Chapter 2, Title 15, Code of Criminal Procedure; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

FIFTEENTH DAY

(Continued.)

Senate Chamber,

Austin, Texas,

October 3, 1931.

The Senate met at 9:00 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

At Ease.

At 9:06 o'clock a. m. the Senate stood at ease subject to the call of the Chair.

In Session.

The Senate was called to order at 9:10 o'clock by Lieutenant Governor Edgar E. Witt.

Point of No Quorum.

Senator DeBerry raised the point of order that a quorum was lacking. The roll call showed 18 present.

At Ease.

At 9:15 o'clock a. m., the Senate stood at ease subject to the call of the Chair.

Court of Impeachment.

On motion of Senator Hornsby, the Senate, at 9:30 o'clock a. m., resolved itself unto a high court of impeachment to hear charges against Hon. J. B. Price, judge of the Twenty-first Judicial District.

(See supplement to Journal for proceedings.)

In Session.

The Senate was called to order at 1:16 o'clock by Lieutenant Governor Edgar E. Witt.